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FACSIMILE

To: Examiner: Jeffery A. Shapiro
Fax: 703-746-3851
From: Angelo N. Chaclas
Date: 9/3/2004
Subject: Terminal Disclaimer for Application Ser. # 10/799,525
Our Ref: E-885-C1

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CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that the following correspondence is being transmitted via facsimile to:

Patent and Trademark Office
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1. Terminal Disclaimer for Application Serial No.:10/799,525 (2 pages)

on September 3, 2004
Date of Transmission

Amy Miklos
Name


Signature

September 3, 2004
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:) Attorney Docket No.: E-885-C1
William G. Hart Jr., et al.) Customer No.: 00919
Serial No.: 10/799,525) Group Art Unit: 3653
Filed: March 12, 2004) Date: September 3, 2004
Title: APPARATUS FOR PREPARATION OF MAILPIECES AND METHOD FOR
DOWNSTREAM CONTROL OF SUCH APPARATUS

**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING
REJECTION OVER A PRIOR PATENT**

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The owner, Pitney Bowes Inc., having a principal place of business at 1 Elmcroft Road, Stamford, Connecticut 06926, of 100 percent interest in the instant application, by Assignment recorded in the U.S. Patent and Trademark Office on October 14, 1999, reel 010301, frames 0718, hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior United States Patent Numbers 6,732,011; 6,714,835; 6,327,515; 6,311,104; 6,311,103; 6,205,373; 6,173,274; 5,873,073; 5,818,724 and any patent granted on Application No. 09/385,847. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patents and any patent granted on Application No. 09/385,847 are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the

full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Please charge the Statutory Disclaimer Fee of \$110.00 to Deposit Account Number 16-1885.

Pitney Bowes Inc.

By: 
Angelo N. Chaclos

Title: Deputy General Counsel,
Intellectual Property
and Technology Law

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